

SECTION 404(G) LEAD-BASED PAINT PROGRAMS GRANTS -

STATE, TERRITORY, DISTRICT OF COLUMBIA,
TRIBAL, AND FEDERAL
GRANT GUIDANCE
FOR FY 2004



February 2004

TSCA Section 404(g) Grants - Purpose and Scope

The U.S. Environmental Protection Agency (EPA) is making available non-matching financial assistance (grants) to States, Territories, the District of Columbia, and eligible Indian Tribes and Intertribal Consortia under the authority of section 404(g) of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2684(g)). Lead-based paint program grants are awarded to develop and/or carry out authorized programs to ensure that individuals engaged in lead-based paint activities are properly trained, that training programs are accredited, and that contractors engaged in such activities are certified; and to develop and/or carry out lead pre-renovation education programs. There are no matching fund requirements.

Since 1994, EPA has been offering financial assistance under TSCA section 404(g) to States, Territories, and the District of Columbia (hereafter referred to as “States”) and to Indian Tribes and Intertribal Consortia (hereafter referred to as “Tribes”). EPA encourages States and Tribes to seek authorization of their own lead-based paint programs. EPA’s goal is to have authorized programs in all States and on those Indian Tribal lands where such a program is warranted.

The grants must be used to develop and implement authorized programs. States and Tribes that do not have authorized programs may receive grant funding, but only for the continued development of lead-based paint programs which will meet the requirements of TSCA Title IV. To receive continued funding, a State or Tribe without an authorized program must be making progress toward an authorized program. Therefore, the EPA Regional Offices, as part of their grant oversight responsibilities, will work with the grantees to determine the appropriate amount of continued funding based upon the amount of developmental work to be completed as the grantee makes progress toward authorization.

In the upcoming funding cycle, the Agency will continue to work with eligible applicants to develop grants consistent with the objectives critical to the ultimate success of implementation of a national lead program, with the emphasis on State, Territorial, Indian Tribal, and Intertribal Consortia programs. For future funding cycles, EPA is planning to conduct a reassessment of the methods and procedures it uses to determine grant funding levels. The goal of this assessment is to ensure that the Agency’s limited funds are applied to its priority objectives.

This Guidance describes the purposes of the 404(g) grants and EPA’s authority for issuing them; explains what entities are eligible to apply for grants; outlines what activities can be funded; explains how the funds will be awarded and distributed including the criteria EPA will consider when evaluating grant proposals; discusses grant application submission requirements; and summarizes grant reporting requirements. Proposals that

qualify for funding will be funded at a level consistent with the “Award and Distribution of Funds” section of this Guidance document.

Background and Authority

On October 28, 1992, the U.S. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of Public Law 102-550). Title X amended TSCA by adding Title IV--Lead Exposure Reduction (15 U.S.C. 2681 et seq.). The purpose of Title X was to develop a national strategy to build an infrastructure to eliminate the lead-based paint hazards in all housing.

Congress passed Title X based on findings that: 1) low-level lead poisoning is widespread among American children, affecting as many as three million children under the age of six, with minority and low-income communities being disproportionately affected; 2) low levels of lead poisoning in children cause intelligence quotient deficiencies, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity, and behavior problems; 3) pre-1980 American housing stock contains more than three million tons of lead in the form of lead-based paint; and 4) the ingestion of household dust containing lead from deteriorating or abraded lead-based paint is the most common cause of lead poisoning in children.

Section 402 of TSCA authorizes EPA to promulgate regulations governing lead-based paint activities to ensure that individuals engaged in such activities are properly trained, that the training programs are accredited, and that contractors engaged in such activities are certified. EPA promulgated the regulations called for by section 402 at 40 CFR part 745, subpart L.

Section 406(b) of TSCA authorizes EPA to promulgate regulations to require each person who performs for compensation renovation and remodeling of target housing to provide a lead hazard information pamphlet to the owner and occupant of such housing prior to commencing the renovation. EPA promulgated the regulations called for by section 406(b) (Lead Pre- Renovation Education (PRE) Rule) at 40 CFR part 745, subpart E.

Under TSCA section 404, EPA may authorize any State to administer and enforce the standards, regulations, or other requirements established under TSCA sections 402 and/or 406(b) if the State has a program that is at least as protective of human health and the environment as specified in TSCA sections 402 and/or 406(b), and that provides adequate enforcement. The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States. EPA’s implementing regulations at 40 CFR part 745, subpart Q, extend EPA’s ability to authorize accreditation, certification, and Lead PRE programs to Indian Tribes. This extension to

Indian Tribes is consistent with the general principles of Federal Indian law and the Agency's Indian policy, which states that Tribal governments will implement environmental programs in Indian country to the maximum extent possible.

The TSCA lead-based paint grant program is a grant program administered by EPA under the authority of section 404(g) of TSCA. Regulations governing these grants are found at 40 CFR part 31 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments). Regulations which supplement the EPA general assistance regulations found in 40 CFR part 31 are found at 40 CFR part 35, subpart A, and subpart B. Contained within 40 CFR part 35 are specific subsections which govern grants and cooperative agreements for the lead-based paint program under section 404(g); 40 CFR 35.270 through 35.272 (applicable to States, Territories, and the District of Columbia), and 40 CFR 35.690 through 35.693 (applicable to Indian Tribes and Intertribal Consortia). This grant program is listed in the Catalog of Federal Domestic Assistance under program number 66.707.

The EPA Regional Offices administer the section 404(g) grants pursuant to a delegation of authority which permits the 10 EPA Regional Administrators to enter into grants with eligible States and Tribes. This national guidance document is directed primarily to EPA's Regional Offices and is intended to facilitate and support Regional administration of this program. Regional offices will work closely with the States and Tribes to develop programs that reflect both EPA and State and Tribal program priorities.

Section 404(h) of TSCA and EPA's implementing regulations require EPA to implement and enforce a Federal accreditation and certification program in all States and Tribal areas that do not have a program authorized by EPA under 40 CFR part 745, subpart Q. Section 404(h) of TSCA also requires EPA to implement and enforce a Federal lead PRE program in all States and Tribal areas that do not have a program authorized by EPA under 40 CFR part 745, subpart Q. Although EPA's goal is to authorize as many State and Tribal programs as possible, the Agency, and Congress anticipated that there would be a number of States and Tribes that would not seek program authorization. EPA is authorized to use section 404(g) funds to implement a Federal lead-based paint program for non-authorized States and Tribes. See 40 CFR 35.116, and 40 CFR 35.516.

Section 402(c) of TSCA calls for the Agency to investigate and address issues related to lead hazards created by renovation activities. The statute called for the Agency to conduct a study and engage in public dialogue to determine which contractors produce lead hazards while conducting renovation activities. The study found that typical renovation activities often produce lead hazards by generating lead dust, and that traditional cleaning methods are ineffective at lowering exposure to the dust to safe levels. EPA held stakeholder meetings to discuss the study results, and concluded that, since any renovation activities that disturb lead-based paint can result in lead hazards, the nature

and intensity of a renovation job are more important determinants of risk than specific renovation activities.

EPA has now decided to develop a program that will primarily be a voluntary-based program to influence the conduct of renovation activities that create lead-based paint hazards. The voluntary portion of the program will, through a public/private partnership, seek to stimulate consumer demand, recognize lead safe contractors, encourage contractor training, and promote lead safe work practices. The voluntary initiative's ability to modify contractor behavior by institutionalizing the use of lead safe work practices will be measured through the course of the initiative to determine its effectiveness. EPA may also in the future consider, if appropriate, limited regulatory components. EPA also plans to determine whether 404(g) funds can be used by States, Territories, Indian Tribes, and Intertribal Consortia to assist them in developing a program for renovation activities.

EPA is presently developing the voluntary program and plans to pilot the program in two locations beginning in the fall of 2004. At that time, the Agency intends to publish a Federal Register that will announce the voluntary-based program. In addition to announcing the voluntary program, the Federal Register notice will discuss measures that will be used to evaluate its success, and will also discuss possible regulatory actions related to the program.

Eligibility

States, Territories, and the District of Columbia (hereafter referred to as "States") and Indian Tribes and Intertribal Consortia (hereafter referred to as "Tribes") are eligible to apply for financial assistance under this program. To be eligible for funding under section 404(g), a Tribe must meet the criteria in 40 CFR 35.693(a).

A State or Tribal applicant may receive assistance if it is either implementing an EPA authorized lead-based paint program pursuant to 40 CFR part 745, subpart Q, or if it is developing a lead-based paint program that may be authorized in the future. Funds will be awarded based upon the progress made by the applicant in developing an acceptable program, including implementing regulations. The EPA Regional Offices, as part of their grant oversight responsibilities, will have discretion with respect to determining whether sufficient progress is being made by a given State or Tribe toward the development and implementation of a program under TSCA Title IV. Failure to make satisfactory progress toward program authorization will result in a State or Tribe not receiving funding.

Where the Agency has direct implementation responsibilities, EPA cannot provide financial assistance under this grant program to non-authorized States, Indian Tribes or Intertribal Consortia, or Territories to assist the Agency in implementing and enforcing a Federal program under TSCA section 404(h).

The section 404(g) grant program is one of two lead-based paint grant programs directed towards Tribes. The second program - *“Educational Outreach and Baseline Assessment of Existing Exposure and Risks of Exposure to Lead Poisoning of Tribal American Children”* - will be announced later. Tribes, as well as all grantees, will not be awarded grants to fund the same activities from more than one source. Although a Tribe may apply to receive grant funding from both grant programs, they each have very distinct objectives. The *“Educational Outreach and Baseline Assessment of Existing Exposure and Risks of Exposure to Lead Poisoning of Tribal American Children”* grant program activities may serve as precursors to, but not as an equivalent or supplement to the section 404(g) lead-based paint grant program. The section 404(g) lead-based paint grant program involves infrastructure development for the anticipated implementation of a lead program and does not include activities (testing for lead in blood, paint, dust, or soil samples, or general outreach and education activities) conducted under the other Tribal grant program.

Eligible parties may use this grant support in a way that complements and does not duplicate activities for which they already receive or could receive financial assistance from other Federal sources (i.e., Centers for Disease Control and Prevention (CDC) and U.S. Department of Housing and Urban Development (HUD)).

States and Tribes may choose to combine section 404(g) grant funds with other environmental program grants as part of a performance partnership grant (PPG). States must adhere to the requirements for PPGs in 40 CFR 35.130 through 35.138. Tribes must adhere to the requirements for PPGs in 40 CFR 35.530 through 35.538.

Activities to Be Funded

This guidance was developed by EPA's Office of Pollution Prevention and Toxics (OPPT) in cooperation with the Agency's 10 Regional Offices, to describe in more detail the required elements of grant agreements funded under TSCA section 404(g), to describe the eligible activities that will be considered for funding, and to facilitate and support Regional administration of this program. Required elements of authorized lead-based paint programs are specified in 40 CFR 745.325 through 745.327. Although the list is not exhaustive, in support of developing and implementing lead-based paint programs authorized pursuant to 40 CFR part 745, subpart Q, a State or Tribe may use section 404(g) funding to:

Develop required elements of authorized lead-based paint programs:

- Develop and/or enact enabling legislation.
- Adopt implementing regulations.

- Develop and/or revise as needed, work practice standards for the conduct of lead-based paint activities associated with inspections, risk assessments, and abatement.
- Develop and/or adopt lead hazard standards and clearance standards for lead in soil, dust, and paint.
- Develop and/or revise as needed, the lead-based paint programs, including regulations or procedures for decertification, suspension, revocation or modification of approvals and certificates.
- Develop and/or revise as needed, requirements for the administration of a third-party certification exam.

Administer and enforce the program:

- Maintain, improve and/or develop the appropriate infrastructure to successfully administer and enforce a program to ensure that individuals engaged in lead-based paint activities are properly trained, that training programs are accredited, that contractors and firms engaged in such activities are certified.
- Foster activities that would increase the efficiency of an applicant's program to ensure that individuals engaged in lead-based paint activities are properly trained; that training programs are accredited; and that contractors engaged in such activities are certified. These activities could include initiatives to develop local capacity in low-income and rural areas, to promote increased competition in the regulated community through agreements which permit entities recognized by an outside jurisdiction to operate in the grantees jurisdiction (referred to as "reciprocity"), and similar efforts.
- Adjust or enhance the appropriate infrastructure to accommodate additional program responsibilities.
- Develop a system to document certification of inspectors, risk assessors, supervisors, workers and project designers.
- Maintain, improve and/or develop the appropriate infrastructure to successfully administer and enforce a program to ensure that renovation contractors provide lead-hazard information to building owners and residents.
- Oversee the conduct of certified contractors engaged in lead-based paint activities to ensure that they are conducting their activities according to all applicable

regulations, including monitoring inspection, risk assessment, and abatement activities per the authorized program.

- Oversee accredited training programs per the authorized program.
- Monitor compliance with work practice standards or regulations for the conduct of abatement per the authorized program.
- Implement the timely training of enforcement inspectors.
- Implement lead-based paint compliance assistance programs.
- Implement compliance and enforcement inspection sampling techniques.
- Maintain, improve, and/or develop specific procedures and supporting documentation to carry out the enforcement program as described in an authorized program. Typical activities could include development of administrative or civil action procedures and the associated warning letters, notices of noncompliance, or the equivalent.
- Maintain, improve, and/or develop specific procedures and supporting documentation to carry out the tracking of tips and complaints as described in the authorized program. Typical activities could include development of methods of recording the receipt of complaints, referring lead-based paint complaints to appropriate State or local agencies, tracking the follow-up investigation, tracking any enforcement action associated with the complaint, and notifying citizens of the disposition of their complaints.
- Develop and/or revise as needed, lead-based paint programs' authority to enter, for purposes of inspection, and other relevant enforcement authorities.
- Develop and/or revise as needed, enforcement remedies, procedures, etc.
- Maintain, improve and/or develop techniques for targeting lead-based paint activities inspections.
- Improve the timeliness of the processing and follow-up of inspection reports and other information generated through enforcement related activities associated with a lead-based paint program.
- Enhance the capacity to improve compliance with Lead Program laws, and effectively develop and issue enforcement remedies/responses to violations.

Report on grant performance:

- Prepare a report per 40 CFR 745.327(d) and/or 40 CFR part 31 grant reporting requirements on the applicant's program progress and performance.

In the past, recipients of the grants have used the funds to assist in program development and prepare for program authorization. EPA would like to continue to support the development and authorization of these programs as well as implementation of authorized programs as budget constraints allow. This Guidance has been developed based on the knowledge that some States have received authorization and that several States and Indian Tribes are continuing to develop their programs.

Under TSCA, authorized lead-based paint training and certification programs are required to collect fees to cover certain costs incurred by the program. These fees are considered "program income," which is defined as "gross income received by a grantee or subgrantee directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period." See 40 CFR 31.25(b). It includes income from fees for services performed by the recipient. Program income generated by activities supported under TSCA section 404(g) grants may include fees that a State or Tribe charges for training, accreditation, certification, licensing or other services performed by the lead training and certification programs, as well as fees that are collected which provide for enforcement of standards and regulations. Consequently, States and Tribes must comply with the rules governing "program income," found at 40 CFR 31.25. Specifically, recipients are authorized to add program income to the funds committed to the grant agreement. According to 40 CFR 31.25(g)(2), this program income must be used for the purposes and under the conditions of the grant agreement. Note that according to 40 CFR 31.25(g), a designation must be made in the grant agreement that the addition method is being applied to program income.

Award and Distribution of Funds

EPA currently expects that up to \$12.5 million of FY2004 appropriated funds will be available during the FY2004 funding cycle for financial assistance under TSCA section 404(g) for awards to States and Tribes for development and implementation of EPA-authorized lead-based paint programs, and for EPA's direct implementation of programs in States and Indian Tribal lands that do not have EPA authorized programs. (The term "States" refers to States, Territories and the District of Columbia. The term "Tribes" refers to Indian Tribes and Intertribal Consortia.) Additional TSCA section 404(g) carry-over funds from previous years may also be available from some Regions. For FY2004 funding, the Agency is setting aside \$1 million of the \$12.5 million for eligible Tribes. The remaining \$11.5 million plus any available carry-over dollars will be used to fund State and Federal lead-based paint programs. The system for determining award funding levels for States and Tribes is described below.

Financial assistance to Tribes.

Each Tribe that submits a qualifying proposal and is making sufficient progress toward the development and/or implementation of an acceptable lead-based paint program, as determined by the EPA Regional Offices, may receive base funding of up to \$50,000. Though Tribes may submit qualifying proposals, the award of funds will be based upon the applicant's progress in developing an acceptable program, including implementing regulations and seeking program authorization from EPA. Failure to make satisfactory progress toward program authorization will result in the Tribe receiving reduced or no funding. The Regional Offices will have the discretion, as part of their grant oversight responsibilities, to determine if the progress being made toward program authorization is sufficient to warrant funding. Further distribution of the Tribal set-aside funds will be dependent upon the number of applicants, the progress that the grantee is making in developing a program, the status of expenditures of previously awarded funds, population, and the relative strength of the proposal. After the closing date for submittal of Tribal applications specified in this Guidance, EPA Headquarters and Regional Offices will consider each of the proposals, and make decisions about the level of funding to be awarded to each of the applicants. Following those decisions, EPA Headquarters will transfer the funds to the Regional Offices for award to the Tribes. Tribal set-aside funds are not included in the formula funds pool for States as discussed below.

Financial Assistance to States.

The process used by EPA for determining award funding levels for States involves two steps. In Step 1, EPA Headquarters determines, based on various factors discussed below, the funding level that will be made available to each of the EPA Regional Offices for grantee awards in the respective Regions. Following distribution of the funds to the EPA Regional Offices, in Step 2 the Regional Offices make decisions on the actual funding level to be received by each of the grantees.

The Agency currently uses a three-tiered system to implement Step 1, the process for deciding the amount of FY2004 grant funds that will be distributed to the EPA Regional Offices. This system is designed to provide a base funding level for each qualified applicant and to provide funding for EPA Headquarters and Regional Offices to address direct program implementation responsibilities, while providing funds targeted to areas with the greatest potential lead burden. The system accomplishes this first, by providing a discretionary funding set-aside that is used to fund special needs among the grantees; second, by providing a base funding set-aside for every State applicant; and third, by providing funding based on a formula that considers the relative lead burden estimated to exist within a State.

The discretionary funding set-aside amounts to \$200,000 of funds for each of the 10 EPA Regional Offices (total \$2.0 million) for discretionary funding of grantee activities as well as the Regional direct implementation activities. These funds are primarily intended to provide each Region with the means of awarding funds to States based upon the progress that the grantee is making in developing a program, the overall quality of the program, and/or identified needs. The EPA Regional Offices will also have the discretion to use these dollars to help support the Federal lead-based paint programs in non-authorized States and Tribal lands within the Region.

The base funding set-aside provides a base level of funds for every State. Each State that submits a qualifying proposal and is making sufficient progress toward development and implementation of an authorized lead-based paint program may receive a base funding allotment up to \$100,000. Each Territory that submits a qualifying proposal and is making sufficient progress toward implementation of an acceptable program may receive a \$50,000 base. However, base level funding for non-authorized States and Territories may be reduced by the Regional Offices depending on progress made toward the development and/or implementation of acceptable programs. Funds are also set aside for non-authorized and/or non-participants in the program. The funds are apportioned to EPA Regional and EPA Headquarters Offices based upon direct implementation funding needs, and are intended to ensure that EPA has adequate funds to directly implement the lead-based paint programs in non-authorized States and Tribal areas.

Once base and discretionary funding set-asides are accounted for, the remaining State funds are allocated through the third tier of the process, which involves allocating funds for every State based on a formula that considers the relative lead burden estimated to exist within States.

In calculating the lead burden for the formula rankings, EPA uses readily available data derived from the 2000 Census and the 2001 National Survey of Lead and Allergens in Housing prepared by HUD. The formula uses four factors to generate an estimate of the potential lead problem, or "lead burden," in each State. Two of these factors, the number of housing units with lead-based paint and the number of children under age six, express the potential magnitude of the lead problem. The remaining two factors, the percentage of young children in poverty and the number of low-income housing units with lead-based paint, express the potential severity of the problem.

In determining formula rankings, each State is scored independently for each factor, and the four individual factor scores for each of the States are then summed to obtain an overall score for that applicant (a combined factor score). The combined factor scores of all States applying for formula funds are then summed, and the percentage of the total sum represented by the individual State's score is then identified. The applicant's formula

allotment is determined by multiplying the total formula funding by the percentage scores of the individual State.

After funding levels (base, discretionary, and formula set-asides) are determined for each State, the funds will be pooled for each Region and transferred in bulk to the respective Regional accounts.

Following distribution of the funds to the Regional Office accounts, Step 2 in the distribution process occurs -- Regional Offices determine the actual funding level to be received by each of the grantees. Funding levels per grantee will be determined by the Regional Offices based on the application submitted and may be decreased or increased based on performance and/or by fiscal need. This may include an evaluation of the progress that the grantee is making in developing a program, the performance of the grantee in implementing a program, expenditures of previously awarded funds, and/or future funding needs.

Submission Requirements

Applicants are directed to 40 CFR part 35, subpart A and subpart B for details on the submission requirements for grant applications. To be considered for funding, each application must:

- Meet the requirements in 40 CFR part 31, subpart B.
- Include a proposed work plan that meets the requirements in 40 CFR 35.107 (for States) or 40 CFR 35.507 (for Tribes).
- Specify the environmental program and the amount of funds requested.

(See 40 CFR 35.104 (applicable to States) or 40 CFR 35.505 (applicable to Tribes)).

For section 404(g) funding for Tribes, EPA is soliciting pre-application grant proposals prior to the submittal of the forms and certifications listed in this unit. This pre-application procedure entails the applicants initially submitting only a work plan and a budget. The Agency will use the applicants' work plans and budgets to select programs to be funded under this grant program. After EPA conducts a review of all submitted pre-applications, successful applicants will be contacted and requested to submit the other required documents listed in this unit, such as the "Application for Federal Assistance" form (Standard Form 424), and the "Budget Information: Non-Construction Programs" form (Standard Form 424A). In addition, as part of the pre-application, Tribes must include all appropriate information to demonstrate that they meet the criteria at 40 CFR 35.693 for treatment as a State. In order for Intertribal Consortia to be eligible for financial assistance under section 404(g), they must include all appropriate information to demonstrate that they meet the requirements at 40 CFR 35.504 concerning eligibility.

The following forms and certifications, which are contained in EPA's "Application Kit for Assistance," must be included in all final grant applications:

- Standard Form 424 (Application for Federal Assistance).
- Standard Form 424A (Budget Information – Non-Construction Programs).
- Standard Form 424B (Assurances- Non-Construction Programs).
- Certification Regarding Lobbying and SF LLL, if applicable.
- Certification Regarding Debarment and Suspension.
- EPA Form 4700-4 (Compliance Review Report Form).
- Quality Assurance Narrative Statement, if applicable.

Application Kits for Assistance are available from any of EPA's 10 Regional Offices. See the list of Regional Lead Coordinators at the end of this document. You can also look online at <http://www.epa.gov/grtlakes/fund/appforms.html>

The following regulations may also be helpful to the applicants as they prepare their financial assistance applications:

- 40 CFR part 7 (Nondiscrimination in Programs Receiving Federal Assistance from the EPA).
- 40 CFR part 12 (Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the EPA).
- 40 CFR part 32 (Government Wide Debarment and Suspension and Government Wide Requirements for Drug-Free Workplace).
- and 40 CFR part 29 (Intergovernmental Review of EPA Programs and Activities).

Where a single State agency has been designated as responsible for coordinating lead activities, EPA encourages that agency to apply for funding under TSCA section 404(g). Coordination of Federally-funded lead activities by a single agency is viewed as conducive to achieving integration of lead activities. Early consultations are recommended between prospective applicants and their EPA Regional Offices. Because TSCA grants will be administered at the Regional level, these consultations can be critical to the success of a project or program, and can also contribute substantially to efficient program operations. As part of the work plan, EPA Regional Offices may ask for additional information that will be useful in evaluating the program such as the status of enabling legislation, a detailed line-item budget with sufficient information to clearly justify costs, a list of work products or deliverables, a schedule for their completion and application for program authorization under TSCA, and a description of any financial assistance received from other Federal sources concerning the lead program. Applicants must also include all appropriate information on program income in accordance with 40 CFR 31.25.

Work plans are to be negotiated between applicants and their Regional Offices to ensure that both EPA, and State or Tribal priorities are addressed. Any application from a

State or Tribe that is not making sufficient progress toward implementation of an acceptable program will not be funded. Also, any applicant proposing the collection of environmental or health related measurements or data generation must adequately address the requirements of 40 CFR 31.45 relating to quality assurance/quality control. EPA issued final guidance that provides details about EPA's requirements for the preparation of "quality management plans." The finalized document is entitled *EPA Requirements for Quality Management Plans* (EPA QA/R-2, March 2001), and is available from each Regional Office.

Final grant applications must be submitted to the appropriate EPA Regional Office. In the case of electronic applications, if allowed by a particular EPA Regional Office, the applicant should follow the procedures required by the Regional Office for submission of electronic applications.

Reporting

Pursuant to 40 CFR 31.40, grantees shall, at a minimum, submit annual performance reports to the appropriate EPA Regional Office. These requirements were approved by the Office of Management and Budget (OMB) under OMB Control Number 2030-0020 (General Administrative Requirement for Assistance Programs). The individual Regional Offices may require that these reports be submitted on a quarterly or semiannual basis, but not more frequently than quarterly. The specific information contained within the report will include, at a minimum, a comparison of actual accomplishments to the objectives established for the period. Regional Offices may ask for the inclusion of specific data (e.g., providing to EPA specific address information associated with the abatement notifications that are received by the grantee) as part of the annual performance report from the grantees which may be useful for Agency reporting under the Government Performance and Results Act. It is assumed that any data that is requested to be submitted by the grantee will already have been collected pursuant to the grantee's work plan.

EPA Regional Lead (Pb) Contacts

You may submit an application through the mail, or in some instances electronically, to the Regional Lead Coordinator in the appropriate EPA Regional Office. The mailing addresses and contact telephone numbers for these Offices are listed below.

Region I: (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont), Regional Contact - James Bryson, U.S. EPA Region I, One Congress St., Suite 1100 (CPT), Boston, MA 02114-0203; telephone number: (617) 918-1524; e-mail address: bryson.jamesm@epa.gov.

Region II: (New York, New Jersey, Puerto Rico, and the Virgin Islands), Regional Contact - Lou Bevilacqua, U.S. EPA Region II, MS-225, 2890 Woodbridge Ave., Edison, NJ 08837; telephone number: (732) 321-6671; e-mail address: bevilacqua.louis@epa.gov.

Region III: (Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia), Regional Contact -Demian Ellis, U.S. EPA Region III (3WC33), 1650 Arch Street, Philadelphia, PA 19103-2029; telephone number: (215) 814-2088; e-mail address: ellis.demian@epa.gov.

Region IV: (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee), Regional Contact - Liz Wilde, U.S. EPA Region IV, 61 Forsyth Street, S.W., Atlanta, GA 30303; telephone number: (404)562-8998; e-mail address: wilde.liz@epa.gov.

Region V: (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin), Regional Contact - David Turpin, U.S. EPA Region V (DT-8J), 77 W. Jackson Blvd., Chicago, IL 60604; telephone number: (312) 886-7836; e-mail address: turpin.david@epa.gov.

Region VI: (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas), Regional Contact - Eva Steele, U.S. EPA Region VI, 1445 Ross Ave., 12th Floor, Dallas, TX 75202; telephone number: (214)665-7211; e-mail address: steele.eva@epa.gov.

Region VII: (Iowa, Kansas, Missouri, and Nebraska), Regional Contact - Crystal Harriel, U.S. EPA Region VII, ARTD/RALI, 901 North 5th, Kansas City, KS 66101; telephone number: (913)551-7093; e-mail address: harriel.cystal@epa.gov.

Region VIII: (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming), Regional Contact - David Combs, U.S. EPA Region VIII, 999 18th St., Suite 300, Denver, CO 80202; telephone number: (303) 312-6021; e-mail address: combs.dave@epa.gov.

Region IX: (Arizona, California, Hawaii, Nevada, American Samoa, and Guam), Regional Contact - Mary Aycock, U.S. EPA Region IX (CMD-4-2), 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415)947-4169; e-mail address: aycock.mary@epa.gov.

Region X: (Alaska, Idaho, Oregon, and Washington), Regional Contact - Barbara Ross, U.S. EPA Region X, Solid Waste and Toxics Unit (WCM-128), 1200 Sixth Ave., Seattle, WA 98101; telephone number: (206) 553-1985; e-mail address: ross.barbara@epa.gov.

